

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

St. Louis Pipeline Corporation	:	
	:	
Petition pursuant to Section 8-503, 8-509, 15-101 and 15-401 of the Public Utilities Act for a certificate authorizing operation as a common carrier by pipeline, and for entry of an order authorizing and directing construction and operation of a petroleum pipeline and granting authority to exercise eminent domain.	:	02-0664
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**REPLY OF ST. LOUIS PIPELINE CORPORATION
TO RESPONSE OF METRO EAST SANITARY DISTRICT
FILED MARCH 7, 2006**

NOW COMES ST. LOUIS PIPELINE CORPORATION (hereinafter “Petitioner”) and hereby files its Reply to the response of Metro East Sanitary District (hereinafter “MESD”) filed on March 7, 2006 and states as follows:

1. Opening Briefs were to be filed in this matter on or prior to February 28, 2006. Reply Briefs were to be filed herein on or prior to March 8, 2006.
2. The initial Brief of MESD consists of five (5) pages, four and one-half pages of which are devoted to discussion and argument as to the width of the easement, with no argument being made as to any issue other than the width of the easement.
3. On March 1, 2006, MESD filed its Reply Brief herein consisting of 10 pages attempting to raise for the first time in this proceeding the issue as to whether Petitioner is fit, willing, and able, and the public need. Throughout the proceedings herein, two issues have been argued, namely: 1) the width of the easement, and 2) the issue of “private property”. The

arguments raised by MESD in its Reply Brief were raised for the first time on March 1, 2006. These arguments are “not responsive to any argument raised in any party’s or the Staff’s opening brief.” These are arguments that MESD should have made in their opening brief. To raise these arguments in its Reply Brief is contrary to the RULES OF PRACTICE of the Illinois Commerce Commission, Part 200, Section 200.800 (c).

Petitioner respectfully requests that an Order be entered striking the REPLY BRIEF OF METRO EAST SANITARY DISTRICT filed herein on March 1, 2006.

Respectfully submitted,

ST. LOUIS PIPELINE CORPORATION

BY: /s/ Edward D. McNamara, Jr.
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing REPLY OF ST. LOUIS PIPELINE CORPORATION RESPONSE OF METRO EAST SANITARY DISTRICT FILED MARCH 7, 2006 was served upon the following parties of record by facsimile, electronic mail, or by enclosing the same in an envelope plainly addressed to said parties, affixing first-class postage thereto, and depositing in the United States Mail at Springfield, Illinois on the 21st day of March, 2006.

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